

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

On November 7, 2006, the parties to the above-captioned matter filed a Stipulated Motion to Extend Time to File Indictment. Dkt. No. 14. The motion argues that granting a continuance would enable the parties to continue their plea negotiations to resolve this case without trial. In addition, the proposed stipulated order states that granting the continuance will satisfy the “ends of justice” by providing the parties additional time to prepare for their case. Dkt. No. 14.

Congress, however, “did not intend the ‘ends of justice’ exclusion to be granted as a matter of course but rather [intended it] to be used sparingly and only when necessary.” *United States v. Lewis*, 980 F.2d 555, 560 (9th Cir. 1992) (internal citations omitted). Hence, an “ends of justice” exclusion may be granted only for a specific duration when “justified by the record with reference to the facts.” *United States v. Ramirez-Cortez*, 213 F.3d 1149, 1154

ORDER DENYING STIPULATED  
MOTION TO EXTEND TIME  
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01 (9th Cir. 2000) (internal citations and punctuation omitted). Generalized assertions that the  
02 “ends of justice” will be satisfied by the granting of a continuance are insufficient. *Id.* at  
03 1154-55.

04 Here, the parties have provided no evidence, nor adduced any facts from the record  
05 sufficient to justify granting a continuance. Rather, they have simply alleged, without  
06 explaining in reference to specific facts, that more time would enable them to prepare more  
07 thoroughly. In doing so, the parties have simply regurgitated the exact same language used in  
08 the their first stipulated motion to extend time to file the indictment. *Compare* Dkt. No. 14,  
09 *with* Dkt. No 10. These reasons are insufficient to justify a continuance. Moreover, an  
10 ongoing plea agreement negotiation is not a factor sufficient for this Court to find that  
11 granting a continuance will satisfy the “ends of justice.” *Id.* at 1155-56 (citing *United States*  
12 *v. Perez-Reveles*, 715 F.2d 1348, 1352 (9th Cir. 1983)). The parties’ motion is therefore  
13 DENIED.

14 DATED this 8th day of November, 2006.

  
15 JAMES P. DONOHUE  
16 United States Magistrate Judge

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